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ACTION EAP-00

INFO	LOG-00	NP-00	AID-00	CIAE-00	INL-00	DODE-00	DS-00
	FBIE-00	UTED-00	VC-00	H-00	TEDE-00	INR-00	LAB-01
	VCE-00	NSAE-00	NIMA-00	EPAU-00	PA-00	PM-00	SP-00
	SSO-00	SS-00	FMP-00	EPAE-00	PMB-00	DSCC-00	PRM-00
	DRL-00	G-00	NFAT-00	SAS-00	SWCI-00	/001W	

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FM AMCONSUL HO CHI MINH CITY
TO SECSTATE WASHDC PRIORITY 1794
INFO AMEMBASSY HANOI

UNCLAS HO CHI MINH CITY 000762

SIPDIS

SENSITIVE

DEPARTMENT FOR EAP/BCLTV, DRL/IRF

E.O. 12958: N/A

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SUBJECT: PARTIAL DEMOLITION OF MENNONITE PASTOR'S HOME

REF: 04 HCMC 823

1. (SBU) Summary: HCMC District 2 authorities demolished a portion of imprisoned Mennonite Pastor Nguyen Hong Quang's (ref A) home July 19. Local authorities state that the home violated zoning laws and that the forced demolition was in accordance with the law. Poloffs stressed at the neighborhood, city and central levels that the international community may see this action as religious persecution and that the demolition may harm U.S.-Vietnam bilateral relations. Acting CG made the same points to the HCMC External Relations Office (ERO). The city and central authorities understood these points but neighborhood officials would not move past the narrow focus of the zoning laws. End Summary.

2. (SBU) HCMC Poloffs were inundated by phone calls and e-mails July 19 from religious leaders and neighbors of imprisoned Mennonite Pastor Nguyen Hong Quang, reporting the demolition of a portion of his HCMC home by local authorities. Poloffs traveled to District 2 where the Quang family resides but arrived at the home after the property had been pulled down. Approximately 37 square meters, mostly what the authorities regard as illegal portions, of Quang's home were demolished.

3. (SBU) Pastor Quang's wife, Ms. Dung Phu Thi Le, stated that local authorities arrived at 7 am, escorted by police and firemen. They read a citation describing the building violation and began the process of tearing the back of the house down. She claims that she had been notified of the violation in 2002 and 2004 but that it was for a smaller portion of the home than what was torn down. (Note: The documents given to Poloffs by Le indicate that all of the portion of the structure demolished was in violation of zoning laws. End note.) Both administrative notices gave approximately 10 days to remove the structure. Ms. Le also received a warning in August 2002 informing her that the back portion of the home would be "forcibly removed." However, no GVN action was taken at the time. Ms. Le said that she had discussed the structure frequently with local authorities and disagrees that it is illegal. In January 2005, she sent a letter to the People's Committee noting her objection. She asserts that the back of the house is a non-permanent structure and was built to keep water from the stream, which runs behind the home, from entering the dwelling.

4. (SBU) Ms. Le believes that this action was taken because a neighbor, who is the local representative for the GVN authority, has a money dispute with Pastor Quang and has lobbied district authorities for the demolition. In addition to the neighbor's influence, local authorities have tried to discourage religious meetings in the home.

5. (SBU) Poloffs met with the District 2 People's Committee subsequent to the meeting with Ms. Le. Despite our unannounced arrival, District 2 personnel agreed to meet with us. The Vice Chief of Staff stated that he was at the home prior to the demolition and had read the citation to Ms. Le. He added that authorities had given Quang and Le ample notice, pointing to the administrative notices of 2002 and 2004. The Vice Chief noted that he had met with Le on June 28 and told her that the structure would be removed in 15 days. He stressed that this action had become necessary because of the complaints lodged by the neighbors. Many had to remove illegal portions of their homes and had criticized authorities for allowing Le to maintain the home addition. He emphasized that this was not the destruction of a church but rather the razing of illegal construction attached to a private citizen's home.

16. (SBU) Poloff noted the zoning violation but expressed concern over the local authorities' actions to demolish the home addition in the shadow of the new Ordinance on Religion. It is well known that the home is used for a place of worship by the Mennonites and this event did not show goodwill or the facilitation of religious practices in house churches. While the GVN may contend that it was an administrative procedure, the international community may view it as religious repression. Giving visibility to this house church in the context of such a demolition would harm the bilateral relationship, which is something both the GVN and USG want to avoid.

17. (SBU) Acting CG raised the demolition with the Ho Chi Minh City External Relations Office July 20. While acknowledging that there was an outstanding zoning issue, the Acting CG stressed that since this home is used by religious followers, its partial demolition will be viewed outside Vietnam as the destruction of a place of worship. Citing the recent progress of the GVN in implementing religious reforms to address concerns raised when Vietnam was designated a Country of Particular Concern for religious freedom, the Acting CG also requested that ERO flag for District 2 authorities the image the demolition would convey to the international community and the implications for bilateral relations in the aftermath of PM Khai's visit and as Vietnam

strives for WTO accession. The ERO representative expressed understanding of this point and also noted the need for Vietnamese authorities to be sure they act in accordance with the law and can explain the basis for their actions.

18. (SBU) Hanoi Poloff raised the issue of Pastor Quang's house July 19 with Le Dzung, Acting Section Chief, America's Department, Ministry of Foreign Affairs. Dzung said he had not heard about the incident, but agreed that it is possible that international observers would perceive the action as some sort of punishment regardless of the legal legitimacy of the action. He promised to report the issue to the MFA's leadership. Poloff also spoke July 19 with Lt. Col Nguyen Tuyen of the Ministry of Public Security, making the same points. Tuyen said he understood the USG's concern and would find out more about the case. July 20, a more senior officer from MPS contacted Poloff to explain that the demolition at Quang's house was legal and done according to a plan, which had been communicated "some time earlier." The illegal construction at Quang's house is in "a designated municipal development area," the MPS officer explained. "Other residences in the vicinity with similar illegal construction were torn down already," he added. MPS had consulted with the HCMC People's Committee that morning, the officer said, and found out that a ConGen officer had been there and asked questions. "We confirmed that the People's Committee is acting according to the law," the MPS officer said.

19. (SBU) Comment: The administrative notices shared with Poloffs indicate that additions to Pastor Quang and Ms. Le's home violated zoning laws and that appropriate administrative procedures were taken prior to the forced demolition of a portion of the home -- a point on which local authorities base their insular view of the issue. While HCMC ERO and central authorities are more astute -- the rare intervention of senior MPS officials with local authorities reflected the GVN's desire to avoid misunderstandings -- it is not clear what impact outside authorities will have on the future actions of District 2 officials dealing with the Quangs.

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